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ABSTRACT

This paper presents an analysis of the sex equity provisions of Public Law 98-524, the Carl D. Perkins Vocational Education Act of 1984. It is intended to assist parents, students, educators, and activists to ensure that the provisions of the Act are fully implemented throughout the country. The two major purposes of the new vocational education law are (1) to assist the states to expand, improve, modernize, and develop quality vocational education programs, and (2) to assure that persons who are inadequately served under vocational education programs have access to such programs--especially disadvantaged students, disabled students, men and women who are entering occupations that are not traditional for their sex, adults in need of training and retraining, homemakers, single parents, persons with limited English proficiency, and persons in correctional institutions. Authorized for five years, the statute has five major sections or titles. Title I describes how funds are to be distributed and sets up administrative requirements for the states. Title II, the heart of the Act, is divided into two parts: Part A describes how funds are to be used to improve access, and Part B describes how funds are to be used to improve quality. Title III describes programs that are funded separately from Title II, including programs for community-based organizations, consumer and homemaking education, adult training and retraining, career guidance, and training in high-technology occupations. Title IV defines programs in research, data collection, and demonstration carried out at the national level through the U.S. Department of Education. (Title V is not described in this paper.) For each of these titles, this paper describes the provisions, comments on potential problems that may arise, and suggests actions that can be taken. The final section of the paper lists four steps that sex equity advocates can take to ensure that the new law is carried out on the state and local levels. (KC)

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Peer Policy Paper

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Fulfilling the Promise: A Guide to the Sex Equity Provisions of the Vocational Education Act*

Introduction

The proportion of women living in poverty has burgeoned so astronomically in the past decade that a term has been coined to describe it: "the feminization of poverty." In every racial/ethnic group, women who are sole heads of their households are most likely to be poor. Indeed, most poor families now consist of women and their children: in 1981, 70 percent of poor Black families, 50 percent of poor Hispanic families, and 39 percent of poor white families were maintained solely by women, and these families included seven million children. Virtually all young women (90 percent) currently of school-age will work outside the home for most of their adult lives, and almost half (40 percent) will be the sole support of their families. Yet despite these facts about women's increasing economic need, most remain trapped on the bottom rungs of every career ladder. Women's wages for full-time work still average only 62 percent of men's, and women's work continues to be undervalued as well as underpaid.

What efforts are being made by the education system to help break this cycle of sex stereotyping and segregation so that the next generation of women will not be relegated—by bias and exclusion from educational opportunities—to the lowest paying jobs? Clearly, providing equal educational opportunity and equal access to vocational training of all kinds is an essential element of all poverty prevention efforts. Yet the vocational education system does little to eliminate job segregation by providing "non-traditional" training for women. In fact, despite federal initiatives since 1976, the vocational education system remains largely sex segregated.

According to the Vocational Education Data System (VEDS), most programs preparing students for historically "female" jobs—the lower-paying and lower-status jobs—still have overwhelmingly female enrollments. For example, in school year 1979-80, 91 percent of the students training as nursing assistants were female, as were 92 percent of those being trained as secretaries. On the other hand, women are only a fraction of students in many traditionally "male" courses of study. Women are only five percent of the students in electrical technology and six percent in appliance repair, for example.

The *Vocational Education Act of 1976* was designed in part to help end the segregation of women in vocational training and to institute programs to recruit, train and place women and girls in occupations that are not traditional for their sex. But, largely because the law did not *require* states to spend their federal funds on these purposes, states for the most part ignored the sex equity provisions of the 1976 amendments. As a result, the Congress has made important changes in the Vocational Education Act.

A Landmark Law

On October 19, 1984, the *Carl D. Perkins Vocational Education Act* (P.L. 98-524) was signed into law. This statute makes fundamental changes in federal vocational education policy. Perhaps most significantly, it *requires* states to spend a percentage of their federal funds on programs to expand opportunities for women and girls in vocational education. In addition, the law includes sex equity provisions in several other programs.

In the past, federal law *allowed* states to spend federal dollars on programs and activities to improve opportunities for women and girls in vocational education. Under the new law, the states *must spend* a portion of their funds on this purpose. The change represents a major breakthrough in federal policy and is largely the result of the leadership and expertise of members of the National Coalition for Women and Girls in Education, who successfully pressed Congress to adopt this approach.

*P.L. 98-524, the Carl D. Perkins Vocational Education Act of 1984.

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The effective date of the law is *October 1, 1984*; school districts should operate under the law beginning in the 1985-86 school year. Yet, because the law breaks new ground, it is difficult to predict how it will be implemented. It will be especially important during the early stages that concerned citizens and educators know what the law requires and that they participate in decisionmaking.

The following analysis of the sex equity provisions of P.L. 98-524 will assist parents, students, educators and activists to ensure that these provisions are fully implemented throughout the country.

Purpose

The two major purposes of the new vocational education law are:

1) assisting the states to expand, improve, modernize and develop quality vocational education programs,

2) assuring that persons who are inadequately served under vocational education programs have access—especially *disadvantaged* students, *disabled* students, *men and women who are entering occupations that are not traditional for their sex*, adults who are in need of training and retraining, *homemakers, single parents*, individuals with *limited English* proficiency and persons incarcerated in correctional institutions.

Funding

The statute is authorized for five years, beginning October 1, 1984. For fiscal year 1985, $950 million is authorized; for fiscal years 1986-89, the funding level is not specified. There are five major sections, or titles, in the law. *Title II* is the heart of the Act and is divided into two parts: *Part A* describes how funds are to be used to promote "access" and *Part B* describes how funds are to be used to improve "quality." Part A programs will receive 57 percent of Title II funds, Part B programs, 43 percent.

Title II, Title I (state administration) and Title IV (national programs) share an authorization level of $835 million in fiscal year 1985 and an unspecified amount in future years.

Title I—Vocational Education Assistance to the States

This section describes how funds are to be distributed to the States and within States, sets up planning requirements for states in using their federal funds, sets up and prescribes the functions of the State Councils on Vocational Education and establishes other administrative requirements for the states.

Each state agency is required to allocate $60,000 for a *sex equity coordinator* to assist the State Board to fulfill the purposes of the Act. The sex equity coordinators are responsible for:

- Administering the single parents and homemakers program and the sex equity program, as described in Title II, Sec. (f) and (g). See below for a description of the sex equity program
- Gathering, analyzing and disseminating data on the effectiveness of vocational education programs in meeting the needs of women.
- Reviewing vocational education programs for sex stereotyping and bias, assessing and making recommendations for the state plan.
- Reviewing proposed actions on grants, contracts and policies of the State Board to ensure that the needs of women are addressed.
- Developing recommendations for information and outreach progams.
- Providing technical assistance to educators, administrators and counselors.
- Assisting administrators, teachers and counselors in implementing programs to increase access.

The $60,000 for the sex equity coordinator position *must* come from that portion of federal money that is allocated to the states for administration. It *cannot* come from those funds earmarked for programs.

Comments

- This marks the first time that the sex equity coordinator will be in charge of administering a program for women and girls that is established and funded under federal law. This is a major increase in authority and responsibility for the coordinators.
- The $60,000 allocated for the sex equity coordinator position represents an increase of $10,000 from the amount previously allocated for that position.
- Other functions of the sex equity coordinator remain essentially unchanged from previous law.

State Plans

All states must develop plans for spending their federal dollars in accordance with the law. Initially, the states must submit a three-year plan, with two-year plans, revised annually, submitted in future years. Each state must hold *public hearings* on its proposed plan and must provide assurances that the funds will be used in accordance with the purposes of the Act.

Comments

- This is a key place for *citizen involvement*. Concerned citizens can and should *testify* at public hearings and also provide written recommendations on the kinds of programs needed and on the allocation of federal and state funds to meet these needs.
- Concerned individuals and organizations should coordinate efforts and encourage participation and testimony by a variety of advocacy groups. Local and state coalitions for equity in vocational education could be formed.
- The State Director of Vocational Education and the sex equity coordinator will be able to provide information about when and where state plan hearings will be held.

State Council on Vocational Education

The law requires that each state have a State Council on

Vocational Education with members appointed by the Governor or by the Board of Education. The total number of members is set at 13 and the majority of those members must represent the private sector.

The State Council advises the State Board of Education on state vocational education policies and reviews and evaluates the state plan. The Council must have at least one public meeting each year to receive public input.

Comments

- The previous vocational education law required "appropriate representation" of women on the state council, which resulted in increases in the number of women on most councils. The new law only requires that individuals with "special knowledge" of the needs of women and other "special populations" be appointed. Much of the leverage which succeeded in getting women appointed to these Councils is now gone. *Increased citizen action* will be needed to ensure that women of all racial/ethnic groups, including disabled women, are included on the councils.
- Although the State Council is advisory in nature, appointment to the Council can offer a real opportunity to bring attention to bear on equity issues.

Title II—Basic State Grant

This Title describes how federal funds are to be used to promote improvement and access.

Distribution of Title II, Part A Funds

Handicapped	10 percent
Disadvantaged	22 percent
Adults	12 percent
Single parents/ Homemakers	8.5 percent*
Programs to Eliminate Sex Bias	3.5 percent*
Criminal Offenders	1.0 percent

*A total of 12 percent of the basic state grant is earmarked for women and girls in vocational education.

Part A—Vocational Education Opportunities

The law targets *57 percent* of the basic state grant for vocational education services and activities designed to meet the needs of, and enhance the participation of, *disadvantaged* students, *disabled* students, adults who are in need of training and retraining, *single parents, homemakers, individuals who participate in programs designed to eliminate sex bias and stereotyping in vocational education*, and people in correctional institutions.

The *sex equity coordinator* is responsibile for admininstering two programs:

- the single parents and homemakers program (8.5 percent of the basic state grant); and
- the sex equity program (3.5 percent of the basic state grant).

Single Parents and Homemakers. Federal funds may be used to provide, subsidize, reimburse or pay for vocational education and training activities, including basic literacy instruction and necessary educational materials, that furnish single parents and homemakers with *marketable skills.*

- Funds can be used for *support services*—such as child care and transportation—and to provide information to single parents and homemakers about vocational education.
- The sex equity coordinator can make grants to *community-based organizations* if they have demonstrated effectiveness in providing services and/or training to homemakers and single parents.
- The sex equity coordinator can make grants to expand vocational education services in general when this expansion "directly increases" the recipient's capacity for providing *single parents and homemakers* with marketable skills.

Comments

- *The law does not define "marketable skills."* Thus, funds could just as easily be used to train a woman in a traditional "woman's" job, such as cosmetology, as to train her in a higher paying trade, such as automobile mechanics or computer technology. Because there is no guarantee that funds will be used to train single parents and homemarkers in fields that promise higher pay and potential for career advancement, funds could be used to support the existing sex segregated system or even to increase this segregation, *although this was not the intent of the law*
- High-income and middle-income homemakers are eligible to participate in this program, although the law does require the states to emphasize serving persons with the greatest financial need and serving *displaced* homemakers. [Sec. 113(b)(7)].
- States can spend money on *support services*, but are not so required. Some states may resist the idea of spending money on child care and transportation, although the lack of such services frequently is a major barrier to women's participation in training and educational programs.
- For the most part, persons served in this program will be past secondary school age, with the exception of teenaged parents.
- The *sex equity coordinator* will play a key role. The coordinator has a great deal of discretion in how the money is spent, as long as it falls within the rather broad parameters of the law. Considerable pressure may be placed on the sex equity coordinator to preserve the status quo. She/he will need the support of local and state coalitions for equity to ensure that her/his role is not compromised and that these funds are used to promote equity.

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The Sex Equity Program. Funds can be used for three purposes.

- For programs, services and activities *to eliminate sex bias and stereotyping* in secondary and postsecondary vocational education.
- For vocational education programs, services and activities for *girls and women, ages 14-25*, designed to enable participants to "support themselves and their families."
- For *support services* for these individuals (girls and women ages 14-25 and participants in programs to overcome sex bias and stereotyping).

Comments

- The sex equity coordinator also could use these funds to perform the duties described in *Title I*. This expands the pool of money available to the sex equity coordinator to perform her/his functions, prescribed by both current and prior law.
- The sex equity coordinator has the authority to waive the age limitation (that is, serve women over age 25 who are not single parents or homemakers) if she or he determines it is necessary to meet the objectives of this section.
- Congressional intent behind this section was twofold:
  1) to provide *training opportunities* for younger women similar to those in the homemaker and single parents program; and
  2) to provide funds to eliminate *systemic discrimination* in vocational education.
- As in the single parents and homemakers program described above, the *sex equity coordinator* is *extremely* important in determining the quality of the vocational training made available to girls and young women. *Community-based organizations* that share her/his commitment to effective implementation of the Sex Equity Program should offer assistance and support for the sex equity coordinator and should share their expertise with her/him.

Part B—Vocational Education Program Improvement, Innovation and Expansion

This section describes the ways in which federal funds may be used to improve the *quality* of vocational education. Some of the uses of funds include *placement* services and *child care*, as well as the *administrative costs* associated with the sex equity coordinator. The statute lists *24 allowable uses of funds*; states have the discretion to choose from among those uses. Community-based organizations can receive grants, under some circumstances.

Comments

- It may be difficult to convince states to spend program improvement money for sex equity purposes, such as child care or administrative support for the sex equity coordinator, as they may see those needs as being entirely met under Part A.

Title III—Special Programs

This Title describes several programs that are authorized separately from Title II. Congress will appropriate funds for each of these programs individually. These include programs for community-based organizations; consumer and homemaking education; adult training, retraining and employment development; career guidance and counseling; and industry-education partnerships for training in high-technology occupations. In general, these are small programs; some may never be funded or may be funded at very low levels.

Part A--State Assistance for Vocational Education Support Programs by Community-Based Organizations

This program is authorized at $15 million for fiscal year 1985 and an unspecified amount in future years. It sets up a special program to enable community-based organizations to provide pre-vocational training, counseling and guidance for disadvantaged youth. Young women are eligible to be served under this program but do not receive special emphasis.

Part B—Consumer and Homemaking Education

This program is authorized at $32 million in fiscal year 1985, an unspecified amount in future years. The purpose of the program is to assist the states in conducting consumer and homemaking education programs. One of the five listed purposes of this program is to encourage the elimination of sex bias and sex stereotyping.

Part C—Adult Training and Retraining and Employment Development

This program is authorized at $35 million in fiscal year 1985, an unspecified amount in future years. The purposes of this program are to expand and improve vocational education programs designed to meet "urgent" needs for training, retraining and employment development of adults (including displaced workers) to ensure that such training is relevant to labor market demands and to ensure that these programs are accessible to all segements of the labor market, including women. One-half of all funds—up to $30 million—appropriated for this program must be spent on providing single parents and homemakers with marketable skills.

Part D—Comprehensive Career Guidance and Counseling Programs

This program is authorized at $1 million in fiscal year 1985, an unspecified amount in future years. These funds must be used to improve, expand, and extend career guidance and counseling programs. Twenty percent of the funds appropriated for this program must be used for programs designed to eliminate sex, age, and race bias and stereotyping.

Part E—Industry-Education Partnerships for Training in High-Technology Occupations

This program is authorized at $20 million in fiscal year 1985, an unspecified amount in future years. This is a state grant program designed to provide incentives for industry-education partnerships and to ensure that programs developed under this part are relevant to labor market demands and accessible to all segments of the population, including women. Funds may be used for activities to ensure access of women, minorities, disabled students and economically disadvantaged students to these programs. The Secretary of Education, when awarding these grants, must give special consideration to the state's commitment to serve all segments of the population, as demonstrated by special efforts to provide outreach, information, and counseling and by the provision of remedial instruction and other assistance.

Comment

- Participation in programs such as these is an excellent vehicle for entering a high technology field. Given the underrepresentation of women in high technology occupations, participation in these programs should be encouraged and efforts must be made to ensure that women are not tracked into sex stereotyped training.

Title IV—National Programs

This Title defines programs in research, data collection and demonstration carried out at the national level through the Department of Education, including its National Institute of Education. National programs receive a two percent share of those funds appropriated for Titles I and II.

Part A—Research

One of the four research purposes is improving access to vocational education for individuals who are: *disadvantaged, disabled, entering occupations that are not traditional for their sex,* in need of retraining, *single parents, homemakers,* persons with *limited English* proficiency and persons who are incarcerated in correctional institutions.

The Act requires the Secretary of Education to conduct a *National Assessment of Vocational Education Programs Assisted Under This Act.* One of the items that must be evaluated is the extent to which access to quality education has been expanded for special populations. The final report is due January 1, 1989.

The Act also continues the *National Center for Research on Vocational Education.* One of the purposes of the National Center is to conduct applied research and development on effective methods for providing quality vocational education to special populations—including men and women in nontraditional occupations, single parents and homemakers. One of the functions of the Center is to provide technical assistance to programs serving "special populations."

Part C—Vocational Education and Occupational Information Data System

This section requires the collection of data on vocational education students, including information concerning race, sex and handicapping conditions.

Comments

- Data can be collected using sampling techniques, so that information on every educational institution will not be reported.
- Data do *not* have to be collected by race-by-sex, as was required under previous law. This means that there will be information available on the status of men versus women and the status of minorities versus non-minorities, but *not* on the participation of minority women, minority men, and non-minority women—as compared to non-minority men. Without breaking out data by *both* race and sex, information on the status of women and minority men will be incomplete and potentially misleading.
- In general, data collection requirements are less strict and less comprehensive under the new law, reflecting a federal trend toward less and less information gathering and dissemination.

Definitions

- Women are sometimes explicitly identified as members of "special populations." In other instances, women are implicitly included as the predominant sex in some categories, such as "homemaker" and "single parent." Sometimes the term "special populations" is used alone.
- The law defines a *homemaker* as an adult who "has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills."
- The *single parent* is defined as an "individual who is unmarried or legally separated from a spouse and has a minor child or children for which the parent has either custody or joint custody."
- The term *sex equity coordinator* is not used in the statute; but it was clearly Congressional intent that the statute's reference to "one individual to work full time" on sex equity in each state is the sex equity coordinator.

Most states are implementing the Carl D. Perkins Vocational Education Act beginning in the 1985-86 school year. Funds for the new Vocational Education Act were appropriated before final passage of the Act and were based on the 1976 Vocational Education Act. There is much confusion and uncertainty at both the state and federal levels as to how the funds will be apportioned under the new law.

Some states may refuse to implement new provisions of the law, such as the sex equity provisions, unless they are given additional funds. This is, therefore, an especially critical time for advocates to become involved in the process.

What You Can Do

- The Department of Education issued proposed regulations for the new law on *January 24, 1985*. These regulations were published in the *Federal Register* and the public has 60 days (*until March 26, 1985*) to file written comments. The Department may also hold regional public hearings around the country on the proposed regulations. The regulations should be made final in the *summer of 1985*. Advocates for equity should *obtain a copy* of the proposed rules, *file written comments* with the Department of Education (Dr. Charles H. Buzzell, Office of Vocational and Adult Education, 400 Maryland Avenue, S.W., Room 5600, Washington, D.C. 20202), and *testify* at regional hearings.

- Advocates should *monitor* the implementation of the new law, by attending and/or testifying at public hearings and making contact with the state's sex equity coordinator.

- Advocates should learn about the process for appointment to the *State Advisory Council* and attempt to become members or ensure that other advocates for equity are appointed. Advocates should develop relationships with members of the Council, testify at public hearings, and generally monitor the activities of the Council.

- Advocates also should present *recommendations for equity provisions in the state plan* during the required public hearings.

For more information about sex equity in vocational education, including an analysis of the proposed regulations to implement the Carl D. Perkins Vocational Education Act of 1984, contact: The Project on Equal Education Rights, 1413 K Street, N.W., 9th Floor, Washington, D.C. 20005 (202) 332-7337.

PEER, the Project on Equal Education Rights of the NOW Legal Defense and Education Fund, is one of the leading national advocacy programs for educational equity for women and girls of all racial and ethnic groups, both disabled and non-disabled. PEER's National Affiliate Network links activists and educators in a national community of concern for the advancement of women and girls.

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This analysis was prepared by Theresa Cusick, PEER Program Associate for Legislation, and Leslie R. Wolfe, Director.

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